IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No.1674 of 2007

Date of Decision: 6.2.2007.

Santosh Kumar

....Petitioner.

Versus

State of Punjab and others.

...Respondents.

CORAM : Hon'ble Mr. Justice J.S.Khehar.
Hon'ble Mr. Justice S.D.Anand.

Present:- Mr.Sarbjeet Khaira,Advocate
for the petitioner.

Mr.B.S.Chahal, Assistant Advocate General Punjab,
for the respondents.

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J.S.KHEHAR, J.(ORAL)

The primary claim of the petitioner is for the renewal of an Arms Licence, for which an application has been moved by the petitioner in District Sahajahanpur in the State of Uttar Pardesh. The petitioner, however, faces an obstacle in his claim for renewal on account of the communication dated 29.12.2006 which has been addressed by the District Magistrate, Gurdaspur to the District Magistrate, Sahajahanpur. A copy of the aforesaid communication has been placed on record of this case as Annexure-P4. The portion of the aforesaid communication, which agitates the petitioner, is being extracted hereunder:

> "2.It is intimated that Arms Licence No.190/DM/GSP/88, was issued to Sh.Santosh Kumar son of Sh.Munshi Ram,

197 Field Regiment, C/o 56 APO, which was later on found that this licence had been issued under the forged signature of the then District Magistrate, Gurdaspur."

In so far as the aforesaid extract of the letter dated 29.12.2006 is concerned, learned counsel for the respondents on instructions from Sh.Puran Chand, Sr. Assistant, o/o District Magistrate Gurdaspur, states that although the license issued to the petitioner on an earlier occasion by the District Magistrate, Gurdaspur, was forged, yet an investigation carried out by the respondents reveals that the petitioner had no role to play in the afore-stated forgery.

In view of the above the part of the communication dated 29.12.2006 addressed by the District Magistrate Gurdaspur to the District Magistrate Sahajahanpur, will cease to be an obstacle in the claim of the petitioner for the renewal of an Arms Licence, subject to the condition that he fulfills all other conditions and requirements. Despite our afore-stated observations, it is not for us to deal with the issue of renewal of the Arms Licence sought by the petitioner from the District Magistrate Sahajahanpur, on account of the fact, that this Court lacks territorial jurisdiction on the issue in hand.

With the afore-said observations, the instant writ petition stands disposed of.

(J.S.KHEHAR)
JUDGE

(S.D.ANAND)
JUDGE

February 6 ,2007.
Reema